

**CHAPTER NO. 80**

**HOUSE BILL NO. 836**

**By Representative Garrett**

**Substituted for: Senate Bill No. 749**

**By Senator Henry**

AN ACT to amend Tennessee Code Annotated, Section 48-11-301; Section 48-51-301 and Section 48-247-101, relative to tax clearance certificate requirements under provisions of the Tennessee Business Corporation Act, the Tennessee Nonprofit Corporation Act, and the Tennessee Limited Liability Company Act.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 48-11-301, is amended by adding the following new subsection:

(m) Notwithstanding any other provision of the law to the contrary, whenever this title requires that an application or other document submitted to the Secretary of State for filing be accompanied by a certificate from the Commissioner of Revenue reciting that the business has properly filed all reports and paid all required taxes and penalties, the certificate requirement shall be met, and a paper certificate need not accompany the application or other document, if the Commissioner of Revenue provides to the Secretary of State electronic verification of the required information. Upon request of the person seeking certificate information, the Commissioner of Revenue shall provide to the Secretary of State electronic verification in lieu of a paper certificate.

SECTION 2. Tennessee Code Annotated, Section 48-51-301, is amended by adding the following new subsection:

(l) Notwithstanding any other provision of the law to the contrary, whenever this title requires that an application or other document submitted to the Secretary of State for filing be accompanied by a certificate from the Commissioner of Revenue reciting that the business has properly filed all reports and paid all required taxes and penalties, the certificate requirement shall be met, and a paper certificate need not accompany the application or other document, if the Commissioner of Revenue provides to the Secretary of State electronic verification of the required information. Upon request of the person seeking certificate information, the Commissioner of Revenue shall provide to the Secretary of State electronic verification in lieu of a paper certificate.


SECTION 3. Tennessee Code Annotated, Section 48-247-101, is amended by adding the following new subsection:


(m) Notwithstanding any other provision of the law to the contrary, whenever this title requires that an application or other document submitted to the Secretary of State for filing be accompanied by a certificate from the Commissioner of Revenue reciting that the business has properly filed all reports and paid all required taxes and penalties, the certificate requirement shall be met, and a paper certificate need not accompany the application or other document, if the Commissioner of Revenue provides to the Secretary of State electronic verification of the required information. Upon request of the person

seeking certificate information, the Commissioner of Revenue shall provide to the Secretary of State electronic verification in lieu of a paper certificate.

SECTION 4. This act shall take effect July 1, 1999, the public welfare requiring it.

**PASSED: March 25, 1999**

  
JIMMY RAIFEH, SPEAKER  
HOUSE OF REPRESENTATIVES

  
JOHN S. WILDER  
SPEAKER OF THE SENATE

**APPROVED this 7th day of April 1999**

  
DON SUNDQUIST, GOVERNOR